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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,206	12/30/1999	FEN-CHUNG KUNG	1999-0309	6067

28317 7590 02/14/2003

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EXAMINER

VU, THONG N

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 02/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/475,206

Applicant(s)

KUNG ET AL.

Examiner

Thong N. Vu

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☒ Claim(s) 3-6, 9, 10, 16-19, 22, 23, 28-32 and 34-40 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

2. The disclosure is objected to because of the following informalities:

On page 7, line 1, the term “(PSTN) 170” is an error, it should be changed to --- (PSTN) 160 ---.

On page 10, line 25, “a element management gateway” should be changed to --- an element management gateway ---.

On page 18, line 10, the term “control CoS” is a typographical error, it should be changed to --- control QoS ---.

On page 26, line 18, “etc.) one” should be changed to --- etc., i) one ---.

### ***Claim Objections***

3. Claims 3, 9, 16, 22, 28, 29 and 34 are objected to because of the following informalities:

In claims 3 & 9, line 2, “an end user” seems to refer back to “an end user” recited in claim 2, line 3. If this is true, it is suggested to change “an end user” to --- said end user ---. The same is true with “an end user” in claims 16 & 22, lines 2.

In claim 29, “a port” seems to refer back to “a port” recited in claim 27, line 6. If this is true, it is suggested to change “a port” to --- said port ---.

In claim 28, line 1, it is suggested to change "the steps of:" to --- the step of: --- because there is only one step.

In claim 34, line 6, in order to distinct step of receiving and step of directing, it is suggested to changed "a directory number" to --- a directory number, and ---.

Claims 4-6, 10, 17-19, 23, 28, 30-32, and 35-40 are objected to because they depend on objected claims.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 26-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 26 seems to be a duplicate of claim 13.

In claims 27 & 34, line 3, "the steps" have no antecedent basis. The same problem exists with "the customer premises" in claims 41-43, line 1.

Claim 39 recites the limitation "said caller" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claims 28-33 and 35-40 are rejected since they depend on rejected claims.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Borazjani et al. (U.S. Patent No. 5,825,829).

Regarding claims 1 and 14, Borazjani et al. disclose a customer interface unit (CIU) connects to a broadband communication network in column 3, lines 17-18, including bi-directional telephony communication, in column 2, line 41, the CIU comprises:

-Multiple ports, at one end user device connected to each port anticipated by plural line cards provide output ports or connectors at any given customer premises, as taught in the reference, in column 17, lines 41-45.

-A processing unit anticipated by a signal-processing equipment, as taught in the reference, in column 6, line 27.

-A designation or multiple designations to identify multiple ports anticipated by identification the subscribers, as taught in the reference, in column 27, lines 55-61.

6. Claims 27-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Eisdorfer et al. (U.S. Patent No. 5,724,411).

A. Regarding claims 27 and 34-36, Eisdorfer et al. disclose a method of associating a directory number with multiple ports on an end user interface in a broadband communication system supporting Internet Protocol telephony comprising steps of:

-Mapping one or multiple directory numbers with said multiple ports anticipated by the step of routing incoming calls to one or more user designated lines served by a single local switch or one or more directory numbers, as taught in the reference in column 2, lines 44-46.

-Receiving incoming call anticipated by the step of receiving the incoming call, as taught in the reference, in column 3, line 49.

-Selecting a port anticipated by the step of selecting a called party, as taught in the reference, in column 3, line 36.

-Directing the incoming call to the selected port anticipated by the step of routing the incoming call to a requested called party, as taught in the reference, in column 2, lines 55-56.

B. Regarding claims 28 and 37-38, Eisdorfer et al. disclose a method comprising the step of alerting the incoming call using a distinctive alert anticipated by the step of alerting distinctively for the incoming call, as taught in the reference, in column 2, lines 58-60.

C. Regarding claims 29-33 and 40, Eisdorfer et al. disclose a method comprising the step of providing one or multiple customized greetings, messages and an unique identity for each port anticipated by the step of prompting menu options, illustrated in Fig. 5, correspond to the multiple users associated with the directory number, as taught in the reference in column 3, lines 1-3, based on the requested called party, the database determines the call treatment of the incoming call, as taught in the reference, in column 3, lines 7-9.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 11-12, 15, 24-25 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borazjani et al. (U.S. Patent No. 5,825,829) in view of Hylton et al. (U.S. Patent No. 5,793,413).

A. Regarding claims 2 and 15, Borazjani et al. disclose all subject matter of claimed invention, explaining in paragraph 5 above, with the exception of including a transceiver. Hylton et al. from the same field or similar field of endeavor teach a transceiver in that it possesses a pair of signal handling channels for operating on signals, as in the reference, in column 9, lines 63-65. Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to combine a transceiver as taught by Hylton et al. in the broadband communication system of Borazjani et al. The motivation for using this combination is being that reducing equipment cost.

B. Regarding claims 11-12 and 24-25, Borazjani et al. disclose all subject matter of claimed invention, explaining in paragraph 5 above, with the exception of showing the broadband communication system that includes an Internet Protocol Network supporting Internet Protocol telephony service, and showing at least one end user device that includes one or more POTS telephones.

Hylton et al. from the same field or similar field of endeavor teach an Internet Protocol Network supporting Internet Protocol telephony service and at least one end user device that includes one or more POTS telephones corresponds to broadband network for providing interactive services, and in the network the customer premises equipment includes a telephone

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(POTS or ISDN) using ADSL connections, as in the reference, in column 5, lines 40-41 and 44-47.

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to combine Internet Protocol Network as taught by Hylton et al. in the system of Borazjani et al. The motivation for using this combination is being that utilizing the network and avoiding delaying time.

C. Regarding claims 41-43, Borazjani et al. disclose all subject matter of claimed invention, explaining in paragraph 5 above, with the exception of including a transceiver connected to a HFC and processing unit routes an Internet protocol voice packet to one of the multiple ports. Hylton et al. from the same field or similar field of endeavor teach a optical transmitter for receiving and transmitting signals in a hybrid-fiber coaxial system, in column 19 line 10, illustrated in Fig. 3. In addition, Hylton et al. show a digital signal processor that selects packets of data and presents to the subscriber, as in the reference, in column 4, lines 18-21.

Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to combine a transceiver as taught by Hylton et al. in the system of Borazjani et al. The motivation for using this combination is being that providing an efficient system with less cost.

8. Claims 3-10, 13, 16-23, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borazjani et al. (U.S. Patent No. 5,825,829) and Hylton et al. (U.S. Patent No. 5,793,413) in view of Eisdorfer et al. (U.S. Patent No. 5,724,411).



Regarding claims 3-10 and 13, Borazjani et al. and Hylton et al. disclose all subject matter of claimed invention, explaining in paragraph 6.A above, with the exception of providing a greeting, a message after greeting and a distinctive alert. Eisdorfer et al. from the same field or similar field of endeavor teach:

Regarding claims 3 and 16, a greeting corresponds to a prompting with menu options, illustrated in Fig. 5, as taught in the reference in column 3, lines 2-3.

Regarding claims 4 and 17, a message after the greeting corresponds to an answer at any of the plurality of telephones, as taught in the reference, in column 3, lines 20-24.

Regarding claims 5 and 18, the customized greeting and message corresponds to the input parameters established by the users, as taught in the reference, in column 2, line 54.

Regarding claims 6 and 19, the end user interface stores multiple greetings and messages corresponds to the multiple options on an user interface, as taught in the reference, in column 8, lines 25-26.

Regarding claims 7-10 and 20-23, at least one end user device provides a distinct alert with a distinctive ring, the end user interface displays an identity, and the identity includes one or more of a group comprising a name, number or ton, corresponds to distinctively alerted incoming call, caller identification numbers, distinctive ring, and caller identification, as taught in the reference, in column 2, lines 49-50, 54-55 and 58.

Regarding claims 13 and 26, the designation is a directory number corresponds to the local switching systems with multiple lines associated with directory numbers, as taught in the reference, in column 3, lines 53-56.

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Thus, it would have been obvious to the person of ordinary skill in the art at the time of the invention to combine customized greetings and messages after greetings, and a distinctive alert as taught by Eisdorfer et al. in the system of Borazjani et al. and Hylton et al. The motivation for using this combination is being that reducing cost of additional directory numbers.

### *Conclusion*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thong N. Vu whose telephone number is 703-305-6959. The examiner can normally be reached on Monday - Friday; 8:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 703-308-5463. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9313 for regular communications and 703-872-9313 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

T. Vu  
February 7, 2003

  
DANG TON  
PATENT EXAMINER